



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

WESTLAKE SERVICES, LLC d/b/a
WESTLAKE FINANCIAL
SERVICES,

Plaintiff,

vs.

CREDIT ACCEPTANCE
CORPORATION,

Defendant.

Case No. 2:15-cv-07490 SJO (MRWx)

**ORDER GRANTING JOINT
STIPULATION**

Honorable S. James Otero

1 The Court has reviewed the Parties' "Stipulation and Joint Motion Re:
 2 Extension of Time for Discovery and Testimony from Third-Party David Ball in
 3 light of Fifth Amendment Assertions and Ongoing BOE Investigation." Good cause
 4 appearing, the Court orders as follows:

- 5 1. Credit Acceptance may have until Friday, June 30, 2017 to depose Mr. Ball.
- 6 2. Neither Westlake nor its experts may rely on or use any testimony, including
 7 at summary judgment or trial, that Mr. Ball may later provide on subject
 8 matters on which Mr. Ball invoked his Fifth Amendment right against self-
 9 incrimination during his deposition.
- 10 3. At summary judgment or trial, Westlake may not rely on or use any
 11 documents from Mr. Ball or Ball Automotive other than those produced to
 12 Credit Acceptance before Mr. Ball's deposition.¹ Notwithstanding anything
 13 to the contrary contained herein, Mr. Ball and Ball Automotive shall have a
 14 continuing obligation to produce to Credit Acceptance any documents
 15 responsive to the extant subpoenas to the extent Mr. Ball or Ball Automotive
 16 gains possession, custody or control of any such documents currently in the
 17 possession of the BOE.

18 **IT IS SO ORDERED.**

S. James Otero

19
 20 DATED: July 24, 2017

21 HON. S. JAMES OTERO
 22 UNITED STATES DISTRICT JUDGE

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 24 ¹ Per this Court's May 23, 2017, order, Westlake's experts may not rely on Mr. Ball's
 25 testimony or any documents produced by him in preparing their supplemental reports,
 26 which are to be served by June 23, 2017. (Order Granting Joint Stip. ¶ 3 [ECF No. 182]
 27 ("Each expert is entitled to supplement his or her report by adding citations to the
 28 following: Westlake's experts may supplement their reports with citations to documents
 received from Mr. Roberts and documents and testimony from Messrs. McCluskey and
 Knoblauch, and Credit Acceptance's experts may supplement their reports with citations to
 documents received from Mr. Ball and Ball Automotive and testimony from Mr. Ball.").)